

Application No.: 09/759,635
Response dated June 13, 2005
Reply to Office Action dated January 13, 2005

Docket No.: 68585/7208

REMARKS

At the outset, Applicants thank the Examiner for the thorough review and consideration of the pending application. The Office Action dated January 13, 2005 has been received and its contents carefully reviewed.

Claims 15-36 are currently pending. Claims 1-14 and 37-55 are withdrawn from consideration. Reexamination and reconsideration of the pending claims is respectfully requested.

Declaration:

In the Office Action, the Examiner objected to the Oath/Declaration as it allegedly lacks the signature of Scott J. Kurowski. Applicants submit, however, that a Declaration executed by Mr. Kurowski was in fact filed in a Response to Notice to File Missing Parts dated May 29, 2001. Any confusion was probably created by the inventors having executed separate copies of the Declaration, which is believed to be permitted by the USPTO rules. A copy of the Declaration executed by Mr. Kurowski and postcard receipt showing it was received by the USPTO, is included herewith. Consequently, withdrawal of the present objection to the Declaration is respectfully requested.

Title:

In the Office Action, the Examiner objected to the title of the invention as allegedly failing to be clearly indicative of the invention to which the claims are directed. Applicants respectfully disagree. However, and solely for the purpose of expediting prosecution of the application, Applicants hereby amend the title of the invention and submit the amended title is more clearly indicative of the invention to which the claims are directed.

Rejections under 35 U.S.C. § 102:

In the Office Action, the Examiner rejected claims 15-36 under 35 U.S.C. § 102(a) and/or 102(b) as being allegedly anticipated by Peter Alfredsen Seti@Home FAQ (herein Seti@Home). This rejection is respectfully traversed and reconsideration is requested.

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In rejecting claim 15, the Examiner asserts that page 31 (section 2.14) of Seti@Home teaches "receiving the module from the second server through the computer network."

Applicants respectfully disagree.

Specifically, section 2.14 of Seti@Home discloses that "[w]hen you are ready to connect to the Internet ... you can make the client send results and retrieve a new Work Unit" and "[d]epending on the load at the Berkeley servers, within 5 minutes you will have sent your results and received new work to do." Moreover, section 1.5 of Seti@Home appears to define a Work Unit as data that has been recorded on high density tapes at the Arecibo telescope in Puerto Rico, mailed to Berkeley, divided into 0.25 Mbyte chunks, and sent from the SETI@home server "over the internet to people around the world to analyze."

As exemplarily described at pages 2 and 37-38 of the present application, however, the presently claimed "module" actually includes application-specific executable code in addition to code configuration and/or reference data. A "module" is neither pure data nor pure data that is to be analyzed, as apparently asserted by the Examiner. Applicants submit that the term "module," as used within the context of the present application, has a well known and accepted meaning that, at the least, encompasses a routine capable of performing a particular task. Indeed, and as supported by the specification, application data to be analyzed by the "module" can be separately retrieved by the "module" code at execution time. Thus, Applicants respectfully submit that the "Work Unit" disclosed in Seti@Home is not a "module" as presently recited in claim 15.

Because the "Work Unit" disclosed in Seti@Home is not a "module" within the meaning of the present application, Applicants respectfully submit Seti@Home also fails to teach "receiving module information from the first server ... the module information including locator information for a second server in the computer network where a module can be obtained," as recited in claim 15.

Elements recited in claim 27 are similar to those recited in claim 15 and, therefore, the remarks presented above with respect to claim 15 are equally applicable to the rejection of claim 27. For at least the reasons provided above, Applicants respectfully submit Seti@Home fails to teach each and every element recited in claims 15 and 27. Consequently, withdrawal of

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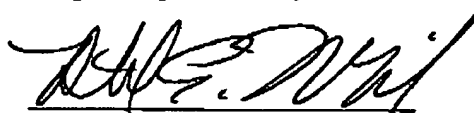
the present rejection of claims 15 and 27, and claims 16-26 and 28-36 which variously depend therefrom, is requested.

Conclusion

In view of the above, Applicants submit that the pending claims are in condition for allowance. Should there remain any outstanding issues that require adverse action, it is respectfully requested that the Examiner telephone Richard E. Wawrzyniak at (858)552-1311 so that such issues may be resolved as expeditiously as possible.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. § 1.136, and any additional fees required under 37 C.F.R. § 1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 06-1135. Please credit any overpayment to deposit Account No. 06-1135.

Respectfully submitted,



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Date: June 13, 2005

Enclosures: Copy of Executed Declaration of Scott J. Kurowski and postcard receipt for same.

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